

FILED

FEB 21 2013

**Board of Vocational Nursing
and Psychiatric Technicians**

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 CAROL ROMEO
Deputy Attorney General
4 State Bar No. 124910
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2141
Facsimile: (510) 622-2270.
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. PT-2011-2822

13 **BLISS U. EZIKE**
A.K.A. BLISS UCHENNA EZIKE
A.K.A. BLISS U. UNAKA
14 **1900 Ascot Way, Apt. 214**
Vallejo, CA 94591

A C C U S A T I O N

15 **Psychiatric Technician License No. PT 36055**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in
21 her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric
22 Technicians, Department of Consumer Affairs.

23 2. On or about June 9, 2011, the Board of Vocational Nursing and Psychiatric
24 Technicians issued Psychiatric Technician License Number PT 36055 to Bliss U. Ezike, also
25 known as Bliss Uchenna Ezike, also known as Bliss U. Unaka (Respondent). The Psychiatric
26 Technician License was in full force and effect at all times relevant to the charges brought in this
27 Accusation and will expire on March 31, 2013, unless renewed.

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1 board may inquire into the circumstances surrounding the commission of the crime in order to fix
2 the degree of discipline.

3 . . .

4 "(f) Conviction of any offense substantially related to the qualifications, functions, and
5 duties of a psychiatric technician, in which event the record of the conviction shall be conclusive
6 evidence of the conviction. The board may inquire into the circumstances surrounding the
7 commission of the crime in order to fix the degree of discipline."

8 8. Section 490 of the Code provides, in pertinent part, that the Board may suspend or
9 revoke a license when it finds that the licensee has been convicted of a crime substantially related
10 to the qualifications, functions, or duties of a licensed psychiatric technician.

11 COST RECOVERY

12 9. Section 125.3 of the Code provides, in pertinent part, that a Board may request the
13 administrative law judge to direct a licentiate found to have committed a violation or violations of
14 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
15 enforcement of the case.

16 FIRST CAUSE FOR DISCIPLINARY ACTION

17 (Substantially Related Conviction)
(Bus. & Prof. Code §§ 490 and 4521, subd. (f))

18 10. Respondent has subjected his Psychiatric Technician License to disciplinary action
19 under Code sections 490 and 4521, subdivision (f), in that he was convicted of a crime
20 substantially related to the qualifications, functions, or duties of a psychiatric technician.
21 Specifically, on or about December 1, 2011, in the Superior Court of California, County of
22 Solano, Case Number VCR208653, entitled *The People of the State of California v. Bliss Ezike*,
23 Respondent was convicted by his plea of nolo contendere of violating Vehicle Code section
24 23103.5 (wet reckless), a misdemeanor. Respondent was placed on probation for 3 years upon
25 terms and conditions, which included, but not limited to, the following: serve 10 days in County
26 Jail, with credit for time served of 1 day; obey all laws and orders of the Court; report all arrests,
27 citations, or violations of law to the Court within 48 hours; do not drive without a valid license
28 and minimum liability insurance; show proof of enrollment in Wet Reckless Program within 60

1 days; and show proof of completion to the Court of Wet Reckless Program by June 1, 2012. The
2 factual circumstances of the conviction are as follows:

3 a. On or about August 12, 2010, in Vallejo, California, a California Highway Patrol
4 (CHP) police officer responded to a traffic collision, and contacted Respondent, the driver of the
5 vehicle involved in the collision. After the traffic collision, Respondent was driven from the
6 collision scene by a male witness who had witnessed the collision after it occurred. Respondent
7 then asked the witness to return to his (Respondent's) vehicle because he had forgotten his cell
8 phone. After returning to the collision scene, Respondent denied to the CHP officer that he was
9 the driver of the car involved in the collision. Later, Respondent told the CHP officer that he was
10 the driver, and stated that he was just scared because he had been drinking and did not want to
11 "pay another fine for DUI or take any more classes." Respondent told the CHP officer that he had
12 consumed "some alcohol" before the collision, and that he remembers driving, but did not recall
13 how the traffic collision occurred because he had had too much to drink. The CHP officer
14 smelled the odor of an alcoholic beverage coming from Respondent, and noticed his red and
15 watery eyes, and slurred speech. Respondent was injured in the collision. The witness told
16 another CHP officer, that besides himself, Respondent was the only one there at the collision
17 scene.

18 b. Respondent refused to answer a series of pre-field sobriety test questions or take field
19 sobriety tests. Respondent refused to submit to a breath test of his blood alcohol content (BAC).
20 Based upon the witness statements, Respondent's admissions, and the CHP officer's observation
21 of Respondent's objective symptoms of intoxication, the CHP officer arrested Respondent for
22 driving under the influence of alcohol. Respondent was then transported to a hospital because of
23 his injuries, and a blood test was taken, which showed that his BAC was .13 percent.

24 SECOND CAUSE FOR DISCIPLINARY ACTION

25 ((Unprofessional Conduct - Used Alcohol to a Dangerous Extent)
(Bus. & Prof. Code §4521. subd. (a)(5))

26 11. The allegations of paragraph 10 are realleged and incorporated by reference as if fully
27 set forth.
28

1 12. Respondent has subjected his Psychiatric Technician License to disciplinary action
2 under section 4521, subdivision (a)(5), of the Code on the grounds of unprofessional conduct in
3 that on or about August 12, 2010, Respondent used alcohol to an extent or in a manner dangerous
4 or injurious to himself, any other person, or the public, as set forth in paragraph 10, above.

5 THIRD CAUSE FOR DISCIPLINARY ACTION

6 (Unprofessional Conduct - Conviction Involving Alcohol)
7 (Bus. & Prof. Code §4521. subd. (a)(6))

8 13. The allegations of paragraphs 10 are realleged and incorporated by reference as if
9 fully set forth.

10 14. Respondent has subjected his Psychiatric Technician License to disciplinary action
11 under section 4521, subdivision (a)(6), of the Code on the grounds of unprofessional conduct, in
12 that on or about December 1, 2011, Respondent was convicted of a crime involving the
13 consumption of alcohol, as set forth in paragraph 10, above.

14 OTHER MATTERS

15 15. To determine the degree of penalty to be imposed on Respondent, if any,
16 Complainant makes the following allegations:

17 a. On or about April 9, 2009, in the Superior Court of California, County of Sacramento,
18 Case Number 09T01805, entitled *The People of the State of California v. Bliss Unaka*,
19 Respondent was convicted by his plea of nolo contendere of violating Vehicle Code section
20 23152, subdivision (b) (driving with a blood alcohol content of .08% or more), a misdemeanor.
21 Respondent was placed on probation upon terms and conditions, which included, but not limited
22 to, the following: serve 17 days in County Jail, with credit for time served of 1 day; and enroll in
23 and complete the First Offender DUI Program.

24 PRAYER

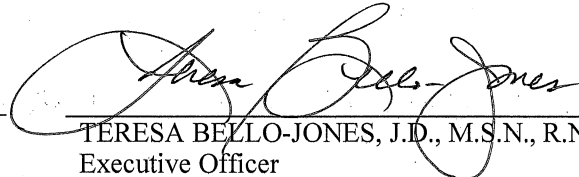
25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
26 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
27 issue a decision:

28 1. Revoking or suspending Psychiatric Technician License Number PT 36055, issued to
Respondent;

1 2. Ordering Respondent to pay the Board of Vocational Nursing and Psychiatric
2 Technicians the reasonable costs of the investigation and enforcement of this case, pursuant to
3 Business and Professions Code section 125.3; and

4 3. Taking such other and further action as deemed necessary and proper.
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6 DATED: **FEB 21 2013**



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

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